

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRUCE BOONE WANN,

Defendant.

FILED

DEC 03 2018

Clerk, U.S. District Court
District Of Montana
Missoula

CR 18-54-M-DLC

FINDINGS AND
RECOMMENDATION
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to each of the following offenses: one count of the illegal possession of a machine gun in violation of 18 U.S.C. § 922(o) (Count III); one count of the possession of an unregistered silencer in violation of 26 U.S.C. § 5861(d) (Count V); one count of the possession of an unregistered, short-barreled rifle in violation of 26 U.S.C. § 5861(d) (Count VII); and one count of the possession of an unregistered destructive device in violation of 26 U.S.C. § 5861(d) (Count VIII), all as set forth in the Indictment. Defendant further agrees to the forfeiture allegation in the Indictment as specified in the parties' written plea agreement. In exchange for Defendant's plea, the United States has agreed to dismiss Counts I, II, IV, VI and IX of the Indictment.

After examining the Defendant under oath, I have made the following determinations:

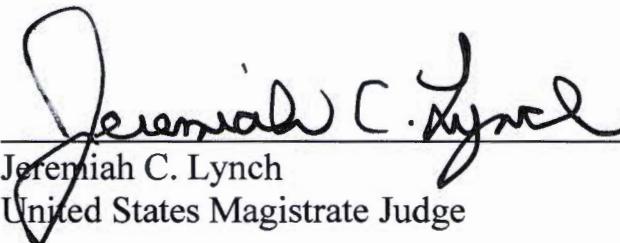
1. That the Defendant is fully competent and capable of entering informed and voluntary pleas to the criminal offenses charged against him, and an informed and voluntary admission to the allegation of forfeiture;
2. That the Defendant is aware of the nature of the charges against him and the consequences of pleading guilty to the charges;
3. That the Defendant understands the allegation of forfeiture and the consequences of admitting to the allegation;
4. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights by pleading guilty to the criminal offenses charged against him, and admitting to the allegation of forfeiture;
5. That his pleas of guilty to the criminal offenses charged against him and his admission to the allegation of forfeiture are knowingly and voluntarily entered, and are supported by independent factual grounds sufficient to prove each of the essential elements of the criminal offenses charged and the legal basis for the forfeiture.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are

true. Therefore, I recommend that the Defendant be adjudged guilty of Counts III, V, VII and VIII of the Indictment, that sentence be imposed, and that the agreed forfeiture be imposed against Defendant. I further recommend that Counts I, II, IV, VI and IX of the Indictment be dismissed.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.

DATED this 3rd day of December, 2018.



Jeremiah C. Lynch
United States Magistrate Judge